

United States Courts
Southern District of Texas
FILED

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT**DEC 23 2022**

for the
Southern District of Texas

Nathan Ochsner, Clerk of Court

Civil Division

DeKarla Fuller

Case No.

22a 4467

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Waterstone Place, LLC

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☒ No**COMPLAINT FOR A CIVIL CASE****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	DeKarla Fuller
Street Address	653 Summer Park Dr
City and County	Houston, Texas, Fort Bend County
State and Zip Code	Texas 77477
Telephone Number	281-798-5800
E-mail Address	fullerdekarla@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name	Waterstone Place, LLC
Job or Title <i>(if known)</i>	
Street Address	516 Stafford Springs Ave
City and County	Stafford, Fort Bend County
State and Zip Code	Texas 77477
Telephone Number	281-560-4554
E-mail Address <i>(if known)</i>	wplasstmgr@karyamanagement.com

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

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II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Landlord's Duty to Repair or Remedy, Tex. Prop. Code § 92.052

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

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b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____ and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

\$100,000.00 - Breach of contract, submitted upon move in on the move-in sheet multiple items that needed addressing in the apartment. Costs to move in, deposits, rental fees, moving fees, costs to move out, new deposit, rental move in fees, costs to move in to new safe and habitable residence. Injury caused to myself and my son's father and medical bills that we are still incurring from injuries.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I have submitted requests for my flooring on four different occasions and they never addressed them, let alone fixed the issue. Submitted a second maintenance request, some items were addressed, the flooring is still not fixed and stove still is not working. Two more requests were submitted and to date, still nothing has been done to fix my floors. They are now sinking and separating and a person will fall through any moment if they do not step the right way, injury has occurred as of November of 2022 to myself and my son's father Trenton Garrett. We are still in treatment for injuries. I have been approved for rental relief from Fort Bend County and Waterstone Place, LLC has purposefully not responded to my email request for the rental ledgers since September of 2022 before I

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I want my lease terminated with no negative marks, all funds refunded, all costs to move to safe and habitable shelter with all moving expenses covered. No evictions or any court proceedings filed or any that are filed immediately stopped as I find a new place to live, via an estoppel. I have suffered mental anguish, with migraines that flared and intensified with compounding and recurring migraines and multiple trips to the emergency room,

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being placed on medication that caused a mental and psychological breakdown that I now have to be under the care of a psychiatrist, psychologist, and a neurologist, termination of employment, loss of wages. Totaling \$100,302.00. Mr. Trenton Garrett's costs have amounted to \$50,000 with mental anguish, physical pain, medical bills compounding daily.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/23/2022

Signature of Plaintiff

Printed Name of Plaintiff DeKarla Fuller

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

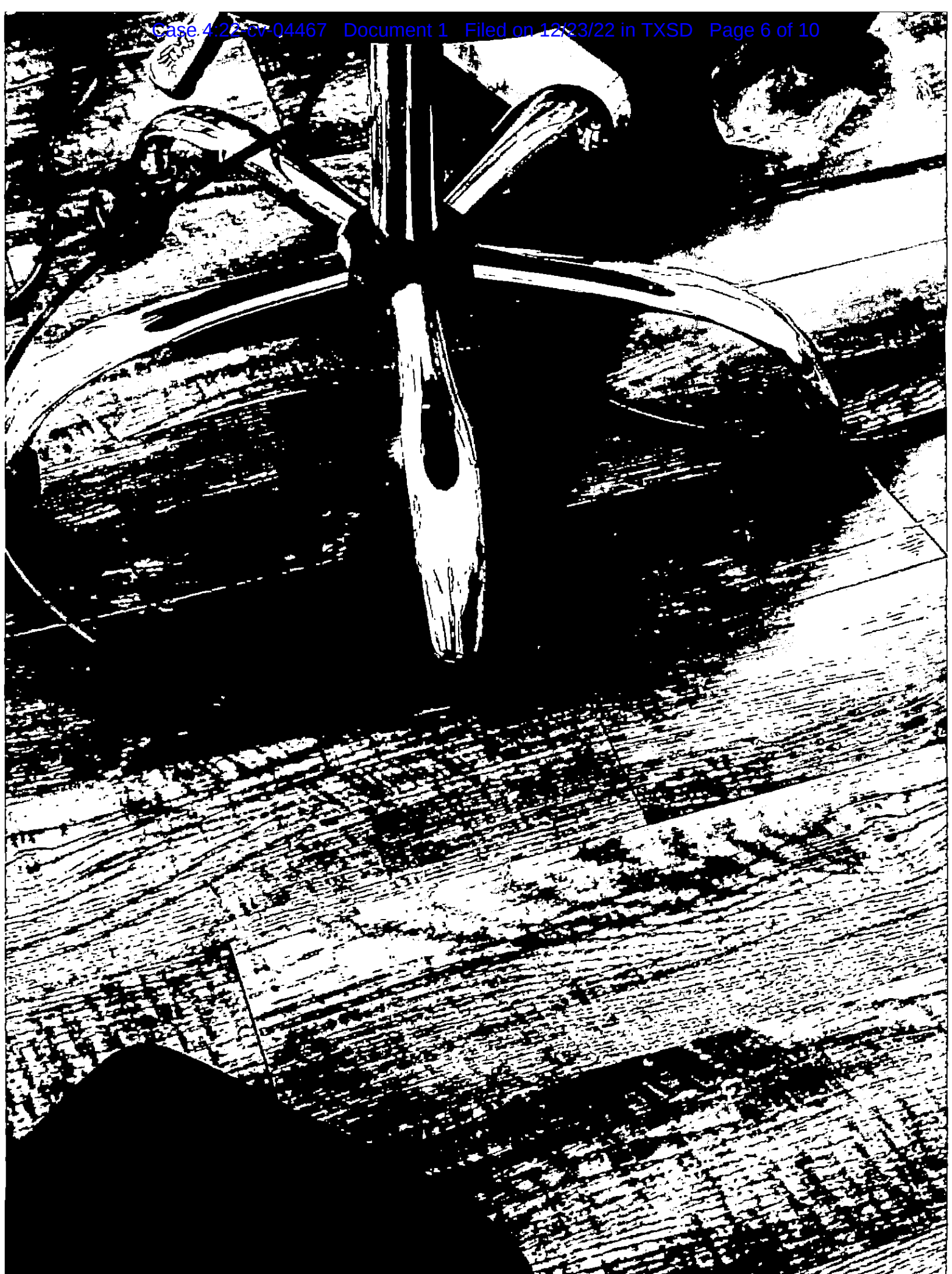
Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address





8:25

100



Alexis >



You know they stopped taking the rent relief and they never said nothing never did nothing about my floor and we fell thru it a hole in my living room floor

Yea they just came and walked my floor and I signed the paper for them to come back

And then they coming tomorrow to fix my doors that's falling off so ghetto

Well idk cause I just talked to her last week and she told me they would work with me on receiving

They told the judge no they not accepting aid I was moving anyways I reported all this stuff on my move in sheet and never said nothing

So they breeches the contract so they gonna pay now

You can't pick and and choose who you gonna fix stuff for or not

You can it just may cost you

Dang oh well that's on them

Yen



iMessage



Cash





DeKarla Fuller <fullerdekarla@gmail.com>

Ledger

DeKarla Fuller <fullerdekarla@gmail.com>

Tue, Oct 4 at 9:37 AM

To: Bennett, Alexandra <Alexandra.Bennett@fortbendcountytexas.gov>, Waterstone Place Assistant Manager
<wpasstmgr@karyamanagement.com>

I have asked for the ledger on multiple occasions again. My flooring is literally falling apart and sinking and I've reported it on move in and three separate occasions and all y'all do is send invoices y'all want rent paid but you can't provide a safe living environment.



DeKarla Fuller <fullerdekarla@gmail.com>

Ledger

DeKarla Fuller <fullerdekarla@gmail.com>

Tue, Sep 27 at 2:43 PM

To: Waterstone Place Assistant Manager <wplasstmgr@karyamanagement.com>

I need the ledger for the next three months for my rent to be paid.